

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

American Civil Liberties Union)
of Alaska; Dunleavy for Alaska;)
and Eric Siebels,)
)
Plaintiffs,)
)
v.)
)
State of Alaska; and State of Alaska)
Department of Transportation &)
Public Facilities,)
)
Defendants.)

Case No. 3AN-18-08845 CI

ORDER REQUESTING ADDITIONAL BRIEFING

The American Civil Liberties Union of Alaska made a new argument in its reply briefing regarding encroachments.¹ As part of the argument, the ACLU contended that regulation of signs placed within the state’s right-of-ways should be treated differently if the state owns the right-of-way in fee simple rather than as an easement.² Similar arguments were presented at the oral argument heard on September 6, 2018. Because these arguments were presented in the reply briefing, the State of Alaska and Department of Transportation & Public Facilities did not have an opportunity to respond. If Defendants wish to respond to any of these arguments before the issuance of subsequent orders, they must file their response by noon on Friday, September 14, 2018. If the

¹ Reply in Supp. of Mot. for TRO and Prelim. Inj. at 7-11 (Sept. 4, 2018)(hereinafter “Reply”).

² Reply at 8 *et seq.*

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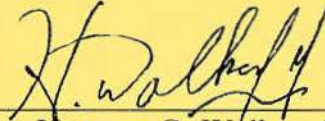
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Plaintiffs wish to provide an additional response, that is due by close of business on Tuesday, September 18, 2018.

ORDERED this 10th day of September, 2018 at Anchorage, Alaska.



Hon. Herman G. Walker, Jr.
Superior Court Judge

I certify that on 9-10-18
a copy of the above was emailed to each of
the following at their addresses of record:

| | |
|--------------|-------------|
| Decker, J | Scully, P |
| Singer, M | Garner, M |
| Schechter, M | Macsalka, M |



L. Greene, Judicial Assistant

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